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June 12, 2013

The Hon. Donna M. Ryu  
Magistrate Judge  
United States District Court  
Northern District of California  
1301 Clay Street  
Oakland, CA 94612-5212

**Re: *Jim Marshall Photography LLC v. John Varvatos Enterprises, Inc. et al.*,  
11-CV-6702 DMR**

Dear Judge Ryu:

On Friday, June 5, 2013, the parties in the above-captioned action (the "Action") participated in a mediation before Martin Quinn, Esq. of JAMS. I am pleased to advise the Court that the parties have now agreed on the material terms of a settlement of the Action, and expect to execute a settlement agreement next week. As such, the parties jointly request that the trial date (and all associated pretrial dates) be vacated pending dismissal of the Action by the parties.

Respectfully submitted,

**DYKEMA GOSSETT LLP**

/s/ S. Christopher Winter